

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT APPEAL No.1372 of 2005

29-07-2005

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Between:

Somaraju Sitharama Rao ...Petitioner

And

The District Collector and others ...Respondents

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THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT APPEAL No.1372 of 2005

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J U D G M E N T (Per the Hon'ble Sri Bilal Nazki, ACJ)

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Heard learned counsel for the parties.

The writ petitioner was aggrieved of an order dated 23-02-2005 passed by the District Panchayat Officer, Khammam, ordering reauction of the fish tank. The writ petitioner had participated in the auction conducted on 03-02-2005 and had become the highest bidder by offering Rs.37,500/- and thereafter, there was an agreement between the parties. During the subsistence of the agreement, the impugned order was passed. The learned Single Judge found that the period, for which the contract of fishing had been given to the writ petitioner ended on 30-06-2005 and as such,

beyond 30-06-2005, the writ petitioner had no rights of fishing in the tank. We do not find any reason to interfere in such a finding. However, the learned Senior Counsel appearing for the appellant/writ petitioner submits that during the currency of the contract, he was deprived of fishing although he had a right to do so under the agreement, therefore, he is entitled to harvest as he has put in lot of money into the business. These matters cannot be gone into in this writ appeal. If the appellant is aggrieved, he is at liberty to approach a civil Court for appropriate relief.

The writ appeal is accordingly dismissed. No order as to costs.

(Bilal Nazki, ACJ)

29th July, 2005

(K.C.Bhanu,J)

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